WPMB No. 593 of 2003

Hon'ble Irshad Hussain, J.
Hon'ble Rajesh Tandon, J.

Heard Sri M.C. Bansal, learned counsel for the petitioner and the learned standing counsel.

The petitioner had taken agricultural loan which could not be repaid because his agricultural crops as well as milk dairy have been hit badly due to draught and climatic conditions in district Udham Singh Nagar during the last three years.. Citation has been issued for recovery of the loan amount due. Learned counsel for the petitioner submitted that the legality of the recovery is not challenged, but considering the hardship being faced by the petitioner he may be given facility of the payment of amount due in instalments. Considering the fact that the loan was advanced for agricultural purposes and that the petitioner is a small farmer and in view thereof, the contention of the learned counsel appear forceful and the facility of instalment may be given so that the amount due may be repaid to the respondent-creditor.

Therefore in view of the above facts and the amount in question, it is directed that the petitioner shall pay the entire amount together with collection charges in three equal instalments and the first instalment shall fall due after expiry of three months from the date of this order and the subsequent instalments shall be payable on expiry of every three months. In default of payment of a single instalment, the entire amount shall be recoverable in lump sum even by exercise of coercive measures.

With this, the petition is disposed of finally.

(Irshad Hussain, J.) (Rajesh Tandon, J.)

07-07.2003:B.